

HRC Webcast Resources: Serving Homeless Clients with Criminal Justice "Issues": Slowing the Revolving Door

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Good afternoon and welcome to today's Webcast, serving homeless clients with criminal justice issues, slowing the revolving door. My name is Justine Hans and I'm the deputy project Director. I will be your moderator today. On behalf of all of us at the HRC, I would like to thank you for joining us.

Today's Webcast will explore the interplay between disability, homelessness and the criminal system, focusing on how homeless Service Providers can best help clients who have legal issues. Our presenters will discuss collaborations to divert individuals into services leading to stability. They will also offer concrete strategies to address the employment and other barriers that result from having a record. This Webcast is co-sponsored with the U.S. Department of Labor's homeless veterans reintegration project national TA center in Syracuse University's Burton Blatt Institute. The HRC is funded through the Center for mental health services of the substance abuse and mental health services administration within the U.S. Department of Health and Human Services.

The homelessness Resource center seeks to improve the daily lives of people affected by homelessness who have mental health and substance abuse problems and trauma histories. Before we get started I'd like to take a moment to show you a few features of the interactive HRC website, www.homeless.samhsa.gov. On the HRC homepage you'll find regularly updated content that includes tips, information about best practices, program profiles, and personal perspectives on the work of ending homelessness. Under the topics tab, you'll find pages dedicated to providing resources on specific topics like best practices for providers and information on specific populations experiencing homelessness. The HRC website offers a blog called Voices from the Field. We know so much of this work is about people and the relationships you build with others. If you are interested becoming a guest blogger, please contact us.

Under the training tab, you can access HRC Resources including the archived podcast and presentation of this Webcast and others. Today's presentation slides and audio will be available here within three days.

You can also access free online training modules on the HRC website. Each module offers continuing education units of credit. The strategies for change modules offer a comprehensive review of information you need to plan, organize, and sustain a comprehensive integrated system of care to help end chronic homelessness for people who have serious mental illnesses including those with co-occurring substance use disorders. You can register to become an HRC member by visiting the HRC website and clicking on login or sign up at the top right of the screen. This will add you to our mailing list to learn about future Webcasts and training events. You can also choose to login simply by using an account from one of your social networking sites.

As a registered member of the HRC community you can create a personal profile that will allow you to connect with peers, offer comments, and rate HRC resources. You can integrate your HRC profile with Facebook, Yahoo, Twitter and other social networking services. I'd also like to share with you another helpful Resource. The health information network, or SHIN. By joining the SANSA network you will receive up to the minute information about grant opportunities, new resources and SAMSA campaigns and initiatives. You can also order free reports, brochures and training resources by visiting the SHIN website at www.SAMHSA.gov/SHIN.

SHIN also maintains a mental health and substance abuse treatment locator. Make sure your program is included by calling 1-877-SAMHSA-7 or e-mails SHIN@SAMSA.hhs.gov.

I would now like to make some logistic announcements. All attendees will remain on mute for the duration of the Webcast. To hear audio, please dial 1-877-233-9772. We welcome questions and we'll have time for Q & A session after the presentation. To submit a question please type it into the chat box and click "submit question." We'll field as many questions as we can at the end of the presentation. Materials from today's Webcast including the presentation slides and audio will be available on the Webcast resources page on the HRC website within three days. Now, it is my pleasure to introduce today's presenters.

Steven Hamowits is a research associate at Burton Blatt Institute and leads the homeless veterans reintegration project national TA center funded by the U.S. Department of Labor. Steve worked for 30 years at the intersections of human service delivery disability policy and the legal system and diverse roles including hospital administrator, class action litigator, researcher, ethics consultant, State agency counsel, educator and program evaluator. He's involved in efforts to end the misuse of restraint on people with mental illness and assist collaboration between behavioral health and criminal justice agencies.

Steven Samra is a recovery specialist at the Center for social innovation where he provides training and technical assistance to grantees of SAMSA's projects in transition from homelessness project. Steven spent more than 30 years in and out of homelessness while battling addictions. Since stabilizing his life in 2000, he's dedicated himself to serving those still on the street. He has worked in street outreach assisting civilians and veterans experiencing homelessness in and around Nashville, Tennessee. Steven received a BA in sociology and MPA from California State University. He serves on the Board of the Nashville coalition for the homeless and co-founded the contributor, a street newspaper produced and sold by people who are homeless. He writes occasionally for change.org, and blogs at stone.soup.studio. At this point I will turn the presentation over to Steven Hamowits.

Thanks, Justine, and hello to everyone. My name is Steven Hamowits. I'm at the Syracuse University Burton Blatt Institute which is an organization that focuses exclusively on disability law and policy issues and works real hard around the country

and the world trying to open up doors and create opportunities for people with disabilities and particularly in terms of economic opportunities to be part of the community. I want to first thank Justine, Jason, and Alex for handling all of the technology stuff that we have come to rely upon to do these kinds of programs and also say thanks to my friend, Steven Samra. It's a little challenging for you and probably for us as well to keep us straight because our names are the same so we'll try to go by myself as Steven and because I'm older and with Steven Samra being Steve. And what we'll do in the next hour or so is to try to talk about in a practical sense some of the issues and some of the strategies limited though they maybe but some of the strategies that exist to help and assist and support people getting out of this cycle of the revolving door, people who are homeless, struggling with mental illness and co-occurring substance abuse disorders often and trying to get them into a place where stability it and personal fulfillment is a real opportunity. I obviously come from these questions, you know in terms of law, litigation, legislation and those kinds of things and Steven, who you heard a little bit I'll ask una moment to describe his sort of ground perspective, we both are committed to working with providers because from my experience of a variety of different settings and jobs, there's nothing more important in terms of outcomes than the work that you folks do day in day out kinds of real services with real individuals and we do what we can to try to be helpful. So Steven, do you want to say something and an introduction?

Sure. Steven, thank you so much and it's great to be here and of course, thank you to Alex and Jason and Justine, and all the folks that do the technology. I'm glad it's them and not me. The reason that I bring a different perspective. I've been a provider, a front line provider if you will here in Nashville, Tennessee, and for about the last seven years, I've been working street outreach and then I was the veteran services coordinator for a one stop veteran service agency that essentially I was the first point of contact for folks copping in off the street. The other reason I'm here is I'm also a consumer provider. I'm a consumer and I've got a criminal justice survival story. I spent time incarcerated in jail, 16 months in the California State prison back in the mid 90s and that was for cannabis cultivation. If you fast forward two decades later, I still struggle with the burden of a stigma and a felony conviction for marijuana, so speaking from personal experience here, I firmly believe that the greatest arm to ever come from my previous time on the street and drug use was not from the life and the drugs although they certainly had their impact but really it was from the Kim that justice intervention designed to scare me straight. So, it's great to be here and I'll turn it back to Steven.

Okay. So let's just talk for a moment and again I'll talk a little bit about the kind of data and stuff that the academic world that I spend part of my time in, we try to use science to get a handle and the truth is that we know a great deal and that there's probably much more that we don't know. But we know and you all know that there's obviously you go to any jail lock up or prison in this country and you'll walk in and you will see many men and women who are for example, you'll see them visibly experiencing psychiatric and psychotic symptoms. You'll see people who are struggling and who are evidencing impacts of medication. We all know the facts in the general sense there's a significant number of people at local jail level and at the State prison level who are

people with mental health and substance abuse disorders. Many of these folks are cycling through the system from ER to jail to the mental health provider community and substance abuse treatment community and back into the system again. We increasingly see folks who have come back from combat experience in Iraq and Afghanistan although the truth is that we really don't have current numbers. We have senses that the numbers are growing but we do not know with any precision.

We also have some numbers, I mean we know that for many of these folks, treatment works. That is the recovery that is possible for people with serious mental illness and for people with substance abuse, there is the prospect of recovery. That was not the case and that's not how people thought a generation ago but we know what is in existence and at the same time, there was this hope as things like drug courts and mental health courts became popular that jail diversion would end up ending this series of complex problems and the truth is that in fact, it works for some people. It does not work for everybody. We don't have time to go into it at length but suffice it to say, some research is showing that for people with mental illness who come from poor communities and who share some of what are called risks that are pervasive in those communities such as the difficulty in problem solving skills and anger Management, risky thinking and behavior that leads from that thinking, hanging around with people in the same mindset, family and marital discord, substance abuse for sure, that there are some people who are not going to be effectively served by mental health services but there are at the same time a substantial number of folks in this hopelessness criminal justice cycle for whom treatment is a viable option in terms of helping them gain stability. The one other thing we talk about frequently is this issue and the stigma of violence. Again, we know that the traditional myths about mental illness are just that, myths that they are as a cohort, people are not more prone to violence because of mental illness. We do know at the same time that people who are suffering from mental illness who are not receiving treatment and who are taking substances significantly may well be at a higher risk for violence but the bottom line is that as a whole, people with mental illness, evidence shows are more often victims of violence than our perpetrators.

So let's talk a little bit about the revolving door. Again, the kind of data that's on the screen in terms of homelessness and substance abuse and mental illness, veteran status, we know that this is another web of complex interactions. We don't know a tremendous amount about what actually A causes B, B causes C. We know a number of things are inter-related and we know that a program that's going to deal with a communities hopeless population with these circumstances is going to need to be comprehensive. Steven? Can you, what's your thoughts about from your perspective, what are your thoughts about this interplay of these various factors?

Well, one of the things I think that folks may not understand is that once an individual actually becomes homeless, getting a criminal record seems to be much easier to do, cities and towns often have this quality of life citation packet for lack of a better term and these are put out in an attempt to persuade people on the street from making particular areas things their hangouts. Like tickets for loitering, littering, trespassing, drinking in public, these are just some of the charges available to officers to do that kind of work.

And of course, these tickets then carry fines, and it's very difficult for the vast majority of folks who are experiencing homelessness to pay those fines. Arrest warrants are issued and people who may really have not done anything more than stretch out on a sidewalk to rest a moment are now placed inside jails with all levels of offenders and here, we see this exposure to the criminal associate actually begins and added to this is there's this anger and hopelessness of fighting back and it's a system in which a lot of the folks recognize that people with money are usually able to buy their way out of the crime with good representation. So upon release from jail, the individual now also realizes that jail may again be in his or her future and that can sometimes work against the person when faced with a decision to break a more severe law like shoplifting or theft.

Finally, the whole event of arrest, incarceration, exposure to kind of hard criminals if you will, the degradation at the hands of corrections officers and then the other part of trying to defend ones self, it's a ever all mental burden and in my own case, I couldn't wait to get out. Once I got out I just got stoned and tried to forget about the whole damn thing. Steven?

Thanks, Steven. So let's just go over again, I'm pretty sure that most everybody has the basics but I just want to make sure we all start from the same point. The basics of the criminal justice system. The three components, arrest, sentencing, adjudication and again from our perspective what's important is as soon as a person is arrested when the police officer takes them into custody and takes them to the station and they are fingerprinted, that fingerprint, those fingerprints generate a rap sheet and that rap sheet then is likely to exist for the rest of the persons life. We'll talk a little bit more about the errors in rap sheets and what we can do about them but another component is that pre-trial detention, and often at a local jail. What's important here is if it's pre-trial detention, it does not mean a conviction. It means somebody is being held in jail pending trial or adjudication because they haven't made bail. Many folks we talk to when we, if they're asked, do you have a criminal record, have you had any convictions they say yes and what they're referring to is the fact they spent time in jail pre-trial is not a conviction.

The other thing that people need to know are the different kinds of offences in their states because they have to be able to answer the question, um, have you been convicted of X because the State laws vary in terms of how offences are categorized. The traditional notion of felony and misdemeanors are now added in many states with a whole host of other kinds of terms for offences. The adjudication, the trial stage, everybody knows about plea bargaining. Everybody knows that what happens is a deal. What people may not know is that at the time that that's occurring with the prosecutor, the public defender, and the client, there's not a whole lot of consideration given to the civil consequences and maybe that's not surprising because we're talking about frequently serious sanctions or significant sanctions but the question of what happens with the criminal record is not likely to be discussed in the determination about whether or not to take the case to trial.

Sentencing, the difference between probation which occurs instead of incarceration, and month roll which occurs after incarceration and it's usually in a State prison. Steven? Can you talk a little bit about your actual experience?

Sure. Many of us who have been through the cycle of arrests, conviction and probation, we've got this little, it's actually quite bad poem that whenever folks who have been, especially folks who were on the lower end of the socioeconomic scale kind of talk about their war stories about being arrested, this is something that just about every one of us knows and it goes something like, you know, you insert the city name you're in, so for example, Nashville, come on vacation, leave on probation, return on a violation. And it's very very simple for that to happen to folks who really are just pleading themselves out of the circumstances that they find themselves in. Now Steven will discuss this revolving door in detail but most of us who have had to deal with the criminal justice system for any length of time are often of the opinion that it's almost better to serve out ones full amount of time rather than accept any of the early release, and if the conditions of our probation or parole are so stringent and the deck is so stacked against us when we actually exit the facility that we wind up back inside in a matter of months on a violation anyway, so when people flatten their time, they exit from corrections, free from any strings and that means probation or parole. I'm unsure whether the rates are any lower for those who actually flatten their time, but I do know that many of the people both associated with and worked with would agree that complying with probation and parole demands can be so stressful and challenging that there's often people just give up trying. It's that difficult. Steven?

Okay, again, at least I remember my mother telling me when I was a young kid not to get into trouble because it would lend itself to a long life of problems and she was correct. There are a whole range of things that happen if somebody has a criminal record, from voting or running for public office, although certain times we think that somebody must have skipped, getting government benefits, borrowing money, getting into housing both public and private, you can come up in places people don't anticipate in terms of child custody issues or adoption, and the impact that obviously we find most probably universal is the impact on employment which we're going to talk about now.

Again, Steven, what's your sense of your experience in this realm?

Well, you know, I've suffered a number of impacts over the years and they were much more heightened back in the 90s when I was first released from State custody. But over the last, you know, decade and a half or so, the impact has diminished. It has not completely gone away but I will tell you that assisting the folks I work with as they struggle against the impact of their own criminal record, often for crimes related to homelessness and relieving the misery that accompanies it through drug and alcohol use, it brings me face to face on really a daily basis with the incredible challenges anyone with a record has to face today. The worst of these is one might imagine revolves around employment and housing. That's absolutely true, but also, if a person is able to overcome these barriers, things that make a person feel part of the community and add value and significance to their lives, their children, credit, being able to vote,

even finding better housing, these things then move to the forefront and they not only are difficult to deal with but they cause some real self-esteem issues as well as depression and some hopelessness so stripping people of some of the most important social aspects of our community for crimes of homelessness and substance abuse, to me just doesn't make a lot of sense, especially if our goal is to reintegrate the person back fully into our society. Steven?

And we're going to talk about those issues in terms of where policy is going and hopefully in the right direction in a moment, but to get back to the employment, the working for a moment. A person has a criminal record and again, our clients in the homeless situation generally have relatively minor records but they still have a record. They still have a rap sheet. That places them in the situation of confronting a dilemma. A person goes and looks for a job and they have a choice. They can disclose their record in which case many employers have for a variety of reasons a policy. We don't hire people with fill in the blank, convictions, felonies, a record. We would like to help you be that's our Company policy. It's out of my control. Or the individual applicant doesn't tell the truth and ends up getting the job and can have and there are countless examples of this, ends up getting the job, does a good job, a great job, an average job, but does a good job and a couple of months gets called in and gets fired. Why? Because though their performance has been adequate, they have done what is called "filing a false job application" and that in most companies, in most organizations, policies is grounds for dismissal. We know from the Society for Human Resource Management that the personnel officers National Association that today, about somewhere 93-95% of all employers will do a background check on a perspective hiree either before offering the job or in some cases within the first three months of the person getting employed so the bottom line here is, you know, and we'll talk about it and I know Steven has some strong views as well, there's an approach that needs to be addressed in terms of how do you deal with these questions when you come to a job application or a job interview. And again, as you can see on the slide, this information is readily available to anybody, including employers, every State has its own public legal agencies have their own website, they are private search companies, many of whom records that the distributors are really fundamentally flawed that they go on a web search of local newspapers and get newspaper stories about arrests, but once that information is conveyed to a perspective employer, and it sometimes finds itself on to the national credit records from the three national credit rating companies that each of us has files with, that information sticks with you forever.

On the public policy question, there are some real issues about well, do we ignore criminal history or do we let them determine consequences for people for the rest of their lives? Suffice it to say, there are some real issues. The information that we have about are-offending is there's a very high rate of people returning to the system, the longer they're in the system the more likely it is they are going to return. On the other hand it is very difficult to make a sound prediction about any given individual about his or her behavior. We are also aware of efforts recently particularly to do screening in workforce development to make sure that we are protecting vulnerable population, people working with children, people working with elderly or people that are challenged

in one way or another, you know, we on the one hand think that screening is good because it makes sure that we get out of contact with those folks, people that have questionable backgrounds. Again, it's a very crude tool and that's one of the things we're talking about in the public policy sphere, but again, bringing it back to the sort of practical outcome for people who have criminal records if they can't find work among the things that they can't do or pay child support and all of the things that go along with the kinds of citizenship that we think are what comes with being part of the community.

Sometimes, these issues get highly visible. One case that we're familiar with involves Oswald Hernandez who is a pretty impressive person. In 2002 he was convicted of possession of a semiautomatic weapon at age 19 or 20. He lived in a tough neighborhood in New York and he went to jail and served time for possession of the gun. When he came out he wanted to turn his life around and join the Army and served ultimately as a sergeant in the Army 82nd airborne Paratrooper division in Afghanistan. He was awarded numerous combat citations and the leadership wanted him to stay and make the Army a career and part of him wanted to do it but part said I want to go back to the city and show kids in my neighborhood that there is a way out, and so again, to make a real long story short, he applied to become a police officer in New York City, did all of the paperwork over in Afghanistan, came back, scored very highly on the test, came back and went to try to get the job and found out the New York City police department that has a policy where they do not hire Felons. In New York City this is one of the articles in the Times. It's been in all the papers in New York City, on ABC News and there's a real argument about whether or not a person like Oswald who did the crime, did the time, served his country, whether or not he should be able to have the same career path in life that he would have otherwise been qualified for but for his conviction. As the judge who handled the case when he was convicted and then he went back to court using one of the tools we'll talk about in a minute to get a Certificate of Rehabilitation, the judge granted that certificate and said in his opinion what's the point? The point is someone whose made a mistake a chance to reclaim their life.

We're moving in a direction. The second chance act is a federal law that provides grants to states and local communities for collaborative programs to try to help folks who have been in the criminal justice system get back into employment and we'll give you a website later where you can go and find out the contact information for the programs in your community. But we do know that recidivisms positively affected by enabling people to get out of that cycle and to get back into employment.

There's also civil rights issues in this area. We know that people in low income communities of color get arrested far more frequently for the same behaviors or non-behaviors as people in other communities. What we think about that in the law in terms of the civil rights act is there's an impact and recently the U.S. equal employment opportunity Commission has issued guidelines basically saying to employers, you can not and should not be considering arrest records when considering job applicants. You can certainly issues around convictions are one thing but arrest is not and in fact, the EEOC filed a lawsuit in Maryland and Michigan against employers that continue to rely

upon arrest records including one subcontractor who works for the Federal Government in the Census Bureau work.

So we have a lot of stuff going on in this area about what do we do with criminal histories. What weight do we give it or should we somehow stop it? Let's get back to the more basic question of what could homeless Service Providers do? And basically there are three things we'll talk about. One is connect with the local jail diversion programs which I say jail diversion but there's all kinds of different programs and we'll touch upon some of the bottles in a moment and participating in cross training to be able to make sure they understand what you guys do and you understand how they work and you build some relationships and again in my experience, when there's somebody at that other agency that you deal with every day and you often are angry with or frustrated by, you don't know why they do what they do, blah blah blah, and collaboration is not easy. It's not just a matter of getting everybody to come to the table and come to a meeting and they walk away, but the hard work of collaboration, if people know that there's somebody on the other end of that phone who they can rely on to deal with the issues we're going to talk about in a moment for one of your clients and they know they can get your help when they're trying to deal with somebody they aren't sure what to do with, that ends up making everybody's job a little more effective and sometimes even makes the job a little easier.

The second strategy is to help clients to address what it means to have a record, and that really does involve learning some of the rules that exist in your State and the issues, the strategies that involve things like ex Ms.pungement or other legal vehicles are very State specific. We are unable to answer the questions that you might have in a form like this, but there are resources that puts you in touch with where you can get more information about what the standards are and we'll talk about that in a moment.

Steven? What's your sense of from the homeless Service Providers perspective how to get their hands around these kinds of issues?

Well, you know, when I look at the three steps here, the three topics, these are very important areas for case Managers and for outreach workers, since often folks are so disillusioned about their convictions because they've been battling and recognizing pretty quickly the difficulty that they're facing with that conviction, that they've long ago given up trying to do it the right way. If an outreach worker or case Manager can point to some prior success stories while engaging people with criminal records, it's all the better because I know in my case, it really instilled a spark of hope and possibility that would allow the person to give it another shot. Now here in Nashville, we work really closely with the Director of the mental health unit at our local jail, and we do that in order to use the diversion programs. Several agencies here also work with people with felonies to help them deal honestly with and overcome that criminal record. Also to find jobs, housing, and other important resources like pro Bono attorneys to assist with child support issues, voting rights restoration and Steven, you're so right in that it's a State specific issue, so each State has to, you kind of have to know what your State, what the route is through the bureaucracy of your State.

I think it's also important here to mention that advocating on behalf of those with criminal records who have done their time and are still really trying to reenter society. The stigma within the community is still very potent and it's very debilitating in most places and often it's an uphill battle for most folks with convictions on the books, so educating the public and the business community helps raise awareness and it actually begins to build some opportunities for people who want really nothing more than to leave their past where it belongs, in the past. Steven?

Thanks, Steve. Diversion. Okay, what is this diversion? I've heard about it. What exactly does it mean? Diversion to what? It's sort of a common sense question. Diversion has been around now for moving on 20 years and the idea basically is that human service agencies and criminal justice agencies are oftentimes dealing with very overlapping populations and while they often rail at each other for what the other didn't do or how they screwed up this case and every once in a while there may be a horrible tragedy in the community, the reality is that when these programs work together, they end up being more efficient and more effective. One of the things that's more recent is the recognition in employment which is an evidence based practice in toolkits available that employment is being recognized even in this incredibly difficult economy as playing an important role in recovery and what diversion tries to do is to figure out for a particular person how to individualize or use person centered service planning, how do we figure out what this person will be able to get into to accept to find as part of what he or her actually wants. How do we get this person into a treatment setting, perhaps a supervised treatment setting if probation may be involved. What do we do to get a different outcome this time, particularly for folks that have been through this many times before. There are different types of diversion. There's the police type which is of course if you go to any police force, you talk to the cops on the street, they say yeah, I spend about a quarter or a third of my time dealing with what they call different things, emotionally disturbed persons, homeless persons thought to be out of control, they find this just below responding to domestic violence as things that they feel challenged and unhappy or difficult to figure out what to do. The crisis intervention team model that is probably the most common in the country although there are others was developed in Memphis after what? A tragedy in which someone died and which the community said we have to figure out a better way of dealing with these circumstances, trained dispatchers, trained officers on each shift who come in whatever their rank, the police culture changes when these teams respond, the person with the training takes over, not the person with the highest rank, and there's been some really incredibly good outcomes in terms of reduced arrest rates, reduced injuries to individuals and police officers. I urge you to find out about what the diversion program either the police training programs in existence in your community or the ones on the planning stages in which you and your organizations can participate in the development of. Local jails also have diversion perhaps and there are a variety of different models, different kinds of screening for mental illness and different kinds of referral relationships with the healthcare system and mental health or behavioral healthcare system and again it can be done, a variety of different ways, but the evidence shows that again, not everyone but that a substantial number of the folks involved in this revolving door can be helped

with to get stability it or to move towards stability it through these kinds of diversion programs.

The programs that people are probably most familiar with are the specialty courts which again have grown rapidly across the country. Drug courts being the first, they are the most common, I forget what the numbers are but we've been talking about thousands in the country and while there are still disputes about methodology, there are still disputes at a variety of levels that I think is Generally Accepted and at least is my view that drug courts are an important tool to help individuals who have the potential and want to get off of that track out of that revolving door and have some control over the lives that they want to lead. Mental health courts are more recent and in truth, there are real arguments about whether mental health courts are as respectful of civil rights as they need to be and we don't have the time to get into the discussion but suffice it to say these are another set of resources that are growing around the country. There are also homeless courts which have developed out of what are called standdowns which are programs, which are small little gathering, not small, brief gatherings in the few days that occur around the country that are actually supported by the U.S. Department of Labor, veterans employment and training service, to bring veterans who are homeless into a setting where services can be discussed, care can be provided and one of the things they do are bringing in a judge who can deal with and dispose of some of the outstanding warrants that Steven was talking about, get rid of not all of the issues maybe on the table but those which can be taken care of by the person showing the judge they are interested moving forward with their lives. The more recent kind of specialized court are called veterans courts started the first one in Buffalo, New York by a judge, Judge Ruesesell, who was in he'll handling these other specialty courts and said, you know, homeless veterans, veterans with struggling with PTSD and other combat related issues really should be handled a little bit separately and we should have a linkage with the veterans service community and the veterans support community and so without any funding, he started his own veteran treatment court in Buffalo, New York and now they've expanded rapidly and are continuing to expand around the country. These are all resources that it seems to me in addition to working with any individual about the record clean up and the job application that we're going to talk about in a moment, these are all resources that I think are valuable for the homeless provider to be able to be in touch with and to collaborate with. Steven, what's your experience in Nashville?

Well, here, you know, here in Nashville, all of these courts are really becoming increasingly popular and I know we have a drug court, we have a mental health court and we do a veteran treatment court. In fact, the primary community veteran service agency, Operational Standdown Nashville, they actually, its been such a high demand service at their annual standdown event that I think last year they started to actually hold a one day all-purpose kind of court session in the springtime in order to sort of decrease the load that was being placed on that Fall annual standdown event and just in creditly popular and a lot of people who may not be willing to turn themselves in in a traditional court setting felt sort of empowered and more comfortable if you can say that at actually showing up at a court service and kind of having the support of other people

around them who were in similar shoes. The other thing about this that I think is important is that they serve to reduce the load on the daily court docket. It reduces the stress of going to court in general and honestly, I think in our area anyway, they've really been seen as beneficial and pertinent to those who have had their cases adjudicated by them, so its been very helpful in Nashville, Steven.

Okay. So one of the other things I want to briefly point out is SAMSA has recognized some of the special issues of trauma and in particular, trauma experienced by veterans. They did a report with recommendations in 2008 and they are currently funding projects in 13 states. The report is available at that website online and at the end, we'll give you a website where you can find that again about the local programs that might exist near where you are. Steven? What's your sense of these sort of, this sort of specificity in services?

Well each one of these, to me is very important but one of the things I just can't emphasize enough here is really the importance of having strong peer mentoring for individuals with convictions. Many of us have come from backgrounds, myself included, where our role models were a bit less than stellar, and as we're looking to kind of revamp and change our approach living in the community, often we're in this real desperate need of good role models and having peers who can reflect the positive values, it just brings with them this added benefit of providing another link in the networking chain but most importantly, they're there to help us guide through this kind of new start and just move us back into the good graces of our society. Steven?

We're going to move on now to talking about dealing with criminal records, but before I leave the diversion I want to make sure people know the two probably best places to get a hold of the information you need to find who in your community, what's the name or phone number or e-mail address of the local diversion program that the homeless providers would be well served in making contact with and developing collaborations with.

So, what are the strategies? And I want to start with the sort of reality. There are strategies. They can be useful. It is a heavy lift to get out from under a criminal record, and there may well be reasons to do it separate and apart from the prospects of actually getting a clean record and we'll talk about that in a moment, but there are some mechanisms and we'll go through them rather quickly but I don't want to oversell something that isn't real. It's still, these are still limited tools and we talked before, there are some real values between letting people get out from a record and holding people accountable and responsible for their behavior.

In many states, though not all, but in many states, there are one or a number of sort of mechanisms and they call then different things. Expungement of records, ceiling of records, sometimes certificates of rehabilitation, there are various tools and again, the states vary quite a bit in terms of what offences might be eligible, how long you have to wait with a clean record, where do you go to file the papers? These are all things that are State specific and the first step is of course working with your client to get his or her

rap sheet so you know what is officially on the books. Every State has one agency that maintains their criminal history and the website that's provided will give you a way of finding out in your State where you find or where the person finds his or her criminal record as well as many of the websites of the public websites linked on this one page will tell you what the rules are or how to find out how to go about for example, expungement and some will have the forms that you fill out.

The website signed law that's listed on the screen is one that links you to a whole host of public resources in your State. Another website that I forgot to I think I may have forgotten here or on the end is it's called the higher network, helping, the HIRE network, I forget what the acronym stands for but if you Google HIRE legal action center you'll find a website that will give you again State by State information from an advocates point of view, helping you figure out what strategies and what tools might be the best to use in your State. In a few states, and again we're talking about under 10 but in New York, for example, there are laws which limit employers discretion be it private employers, public employers or public licensing bodies in considering criminal records and what these laws do is basically say you can't have, we don't hire somebody with a criminal record policy across-the-board, that what an employer has to do is to make an individualized judgment about the individual, his or her history, what the offense was, how long ago it was, what's happened in between in terms of rehabilitation. They can then make a judgment but they can't have an absolute ban in New York is considered discrimination, like discrimination on the basis of race, gender or disability.

It is important to know if there are such laws in your State and again you can find that information out from the HIRE network or the Find Law website that I mentioned.

In addition, what other opportunities are there? Well, there are basically three. Bonding, tax incentives and I think of all of the things we'll talk about the most important is preparing people for how to deal with these questions on a job application and an interview. None of your clients with a record who wants to get a job should be surprised when the issue comes up in the job seeking situation. They have to be prepared. They have to have practice and we'll talk a little bit about that in a moment, but Steven, what's your experience in this area?

Well, there's two quick things. I was going to tell you, Steven, the national HIRE network, it's helping individuals with criminal records reenter through employment. So it's no wonder it was difficult for you to pull up kind of the acronym and that's www.Hirenetwork.org, and we'll make sure that was available for folks. It was real easy to find, but looking at assisting folks with a record, especially coming from an outreach or a case Management standpoint, I work with individuals and also with small groups and I do this to punch up resumes and help them kind of overcome the worst of the interview challenges. I teach them to limit the use of street language, help them identify and strengthen their skills available whenever that's possible. For veterans, I teach them to kind of try to remove the combat boots from their resume and find ways of translating the skills that go along with that mill tar it service to something a civilian employer may understand a little better. I want to make sure that folks don't mistake this. Military

service is extremely valuable and it's important on the resume. It definitely needs to be highlighted but sometimes it's hard for civilian employers, especially those without a military background to really grasp the skill sets when they are kind of written in the sort of military jargon. So I also recognize time constraints and the large caseloads that many social service workers have and this often limits the amount of time that can be spent with each individual, but I'm telling you, even a small amount of coaching prior to an interview will go a long way towards building confidence and assisting those applicants in getting a better chance at an actual hire. Steven?

Okay, thanks. If people are not aware, there is something called the Federal Bonding Program which is designed to help the kinds of clients that you're serving. It is an unusual program for a Federal Government program because it works pretty simply. It works pretty directly. Oftentimes employers when hiring people in many industries off the streets want to know if they can be protected and so what they do is they go to a private Insurance Company and get what's called a Bond which protects them as against loss from theft or those kinds of behaviors during the first six months or so of the new hires work. Those private companies will not issue bonds for people with a criminal history so the Federal Government in the mid 60s got in the business of underwriting their own bonds. It covers loss sometimes \$5,000 in New York and that limit is now up to \$25,000 for employee dishonesty. It is free to the employer for six months and the mechanism is fairly easy. The employer has to have, the prospective employee has to have a letter from an employer saying they're willing to offer him or her a job but then very quickly it moves through a State coordinator in each State and you can find the information on the website, who will issue the bond and for many employers, it won't convince somebody whose just had a bad experience or won't think about this carefully, but for people that are thinking about it on the fence, maybe they have somebody in their own family whose had some difficulties with disability or with homelessness or with criminal justice interaction, these folks are willing to take a chance and in the I forget the number but whatever the number of bonds issued since 1966 when the program was started, they've never had to pay, they only had to pay like .4%. 99.6% of these folks work out fine and the employer community knows this. Steven, do you have experience with the bonding program?

You know, I don't have experience like personal experience with it but it's just got incredible potential, especially for some of the agencies out there that are really tasked with finding folks employment and one of the keys here is that employment counselors in any given area are not only aware of this program. I think that it's one of those things that a lot of folks just don't know about but they also understand how it works and then are given permission and encouragement to try and build hiring opportunities for their clients with criminal records. Steven?

Okay. And another federally sponsored program, although there are some State programs as well, are employer tax credits. One of the one that we know most about is the work opportunity tax credit which will provide an employer \$2400 for each new hire from a target group and those target groups include people who have criminal histories as noted on the slide. I recently did a webinar with a Human Resource Vice President

from a relatively large Company up in the Northeast and he was quite clear about the folks that they hired from this same population, this homeless revolving door, low level offender group, the people that they were hiring turned out to be better employees, they stayed longer, the Company had to do less recruitment and training and he pointed out they made over \$160,000, they've made? They saved over \$160,000 in taxes in calendar year 2010 and he said from my point of view, doing things is just fine but my Company does it because these employees are loyal employees who know that this is their way out of where they've been and they meet our needs as employees and we get the tax benefit which to us are real dollars.

We want to spend a little more time and open it up for questions and dialogue and discussion. How do you help someone prepare for a job application when they have a criminal history and have lived on the streets and have big gaps if they have a resume at all they're a big gap. A couple of pieces of advice. One is if there is something on the application and you read the question carefully, answer truthfully and there's just no question in my mind about it doesn't pay to lie because it makes it worse later, to answer truthfully but only answer the question that's asked and that's why people [INAUDIBLE] between arrest and convictions and they have to understand the difference in terms of how offences are categorized. Do not leave the question blank or say something like we'll discuss at interview. There's not going to be an interview if that's what goes in the blank, but depending on how much space there is and depending what words the person wants to or are most comfortable with, something along the lines of yes, but we'll show evidence of rehabilitation or we'll talk about who I am now or something along the lines of what that person feels can go in that blank and say I want to talk about this at an interview. It is really important to do practice interviews with people particularly that work in the business field so that your client can get a real sense with a stranger what it's like to sit there and have to think through the answers to these questions about how come I should hire somebody who has a history. You want to talk about how they need to deal with it directly. You have to accept responsibility. They have to own whatever happens. It's not the time for to make points about the failures of the criminal justice system or it wasn't really me or I wasn't really the one that did it. The time is to say this is briefly what happens and this is what happened to me and this is what I did, this is the sanction that I handled and then, you want to have people talk about where they are now and what's changed and provide as much documentation as possible, whether it's military service or rehabilitation and treatment, that may mean clean drug screens in the last couple of months, whatever education and work they've been able to do including volunteer work, whatever work they've been able to engage in, letters from people in responsible positions are what perspective employers need to see. It is important to bring for example, the federal bonding information, and the tax stuff not only because the employer might want to pursue those roots but it shows how serious and concrete the person, the applicant is and how much they really do want to do whatever it takes to be able to get this job and be successful, if the person is not hired we recommend that the individual send a letter, review what they talked about in terms of rehabilitation and the other realities of their lives and ask for reconsideration. Steven, what's your sense of helping people prepare for job applications and interviews?

Steven, you just nailed it all the way through. To me, I think both hiring folks who have had a criminal record and then applying myself as someone with one, I just I can't stress enough for folks not to lie about this question. It is such an important thing to be very forthright. For me it is this being Contrite. Owning up to what happened. You're so right that this is not the time to talk about the failings of the criminal justice system or to talk about how you accepted a plea deal or whatever it was. It is if this is your time to talk to the employer, in the most honest way that you can, talk about your strengths and you certainly don't want to belabor the conviction and what happened. You certainly want to share it to the point that you explain it but you don't want to rattle on and then you take it back full circle and you try to refocus on the strengths and skills that you're going to bring to the Company and to me, that's probably the most important and probably the most successful way to actually get a hire.

Thanks. I just want to point out again for your clients who are veterans, the homeless veterans reintegration project has grantees all across the country. There are homeless veterans reintegration project programs that somewhere in the vicinity I think of over 100 across the country and recently, there are two additional specialized programs for homeless female veterans or veterans with families and programs for incarcerated veterans reintegrating into the community, you can go to our website listed there and find the contact people for the programs in your community.

Summing up and then we're interested your thoughts and your questions and comments. I think where we are is that the folks that we're serving are people with complex challenges. You know that better than I. Criminal histories make things more difficult. There are some strategies that exist, there are some resources that exist, we are seeing some movement in terms of public policy, in many communities from Boston to Minneapolis, to San Francisco, there have been adopted local laws or called ordinances called band the box and what they do and oftentimes they are the result of community act it vests who have gone to the city government and maybe with the support and rack they've it of the FATE based community have gone to the community, local government and said that we want you to change your job applications for public jobs. We want you to take off that box that says you have to check if you have a criminal record. Of course it may be these are things that an employer including a public employer should consider but if there's a box and the person checks it and you don't give them the interview you don't even get to see what the person has done since they had the problem. As I said before, there's a second chance act and there's public policy recognizing that getting people with criminal histories into employment is one critical element of being able to reduce recidivism and there for may increase public order and you'll see that there are even, there's an article in the paper not long ago which is spread out on two pages here, two slides hereof State governments helping people with records find jobs because it is so clear that lowering recidivisms accomplished by enabling people to get work and to get meaningful work that they can move forward with their lives. So escaping the revolving door, damn hard. But possible and certainly something that I think is possible with some of the tools and resources and the committment and initiative and energy. So I'll let Steven sum up and then we'll turn it back to Justine for questions and discussion.

Thanks so much, Steven. You know, just really quickly talking about the veteran component of this, I want to make sure folks recognize that there is a pretty important network of employed vets out there and a number of the vets that I know personally have been provided a job because they were able to network with other vets. They get the word out, they needed employment, had others promote and support that, and it seems self-evident but I'd tell vets all the time don't be afraid to reach out, even though it's kind of taught by the military to go at it alone, there's just a strong loyalty to battle buddies and it's important to take advantage of that and also, kind of as a final thought here, if a person has a conviction that has stripped them of their voting rights, to me whenever possible, I encourage them to get reinstated. It's against a specific but it's critical in changing what we're facing throughout our nation as we move forward so we need everybody's voice here and there's a lot of us out here who have overcome felony convictions and have worked for a long time now and I think we're kind of setting examples for those that are coming after us and I just keep the faith of moving forward and with folks like Steven on our side, I think foot churr looks a lot better than it did. Thanks so much for listening and Steven, I'll throw it back to you for some questions.

Okay, you'll see on the website that we're going to, we have the resources listed at the end of the website to make sure that everybody gets to see how these other resources can be contacted and we have at the end, Steven and my contact information. We will try to answer your questions. If the questions are more than we can handle in the time allotted, we will try to sort of look at your questions, collapse them into where we see themes and send them back, the answers back for discussion back by e-mail within the next week or so. Again, I want to just make clear that frequently people want to know, a specific circumstance of a client they're working with and again, these resources and particularly expungement but many are State specific and it's not possible for me to give really concrete answers other than to refer you to the resources that will tell you what the laws are or what the tools are in your State, so with that, Justine and you, can you moderate the questions?

Yes, of course. Thank you, Steven and Steve for such a fantastic presentation. We have about 20 minutes. Actually 18 minutes left for questions and I just would like to remind you to submit a question you type it into the chat box and click "submit" and we'll try to get to as many as we can and like Steven said we will definitely be able to send answers either by e-mail or by hosting on the HRC website. We will be in touch with everyone about the details of that.

Just to start, we have a question, how helpful is it for staff to assist their homeless justice involved veterans to convert fines into Public Service work?

Again, I think like many of the issues presented, on the one hand it makes real good sense. On the other hand, this is really a question for the individual to decide him or herself if that's a strategy, if they're willing to do what needs to be done to be able to move forward but the idea of making the request to the court to essentially amend the dispositional order, to change a fine into community service is certainly something that

people, it is available in most places and most court systems are looking for some creative way to help the person move forward.

Thank you, Steven. Another question from one of our participants wants to know if there's any help for someone with a sexual offense. Steve says even apologies don't seem to work.

Yeah, the truth is that both at sort of a cultural level and I'm afraid to say as well at a legal level in terms of cases that have gone all the way to the U.S. Supreme Court, people with sexual offender or sometimes called sexual predator histories really don't have much in the way of legal or political vehicles to be able to sort of turn their lives around. Again, it's not in some ways, it's not surprising in terms of what we know about the needs to address issues of sexual abuse. On the other hand, when someone gets charged with a sexual offense in some states because of public Urination, it seems obviously irrational to have them foreclosed from being able to get a job or live in the community they might have available to them for the rest of their lives so I don't know of very many success stories and I'm afraid I don't have very many practical recommendations other than the sort of general ones we talked about, but everybody I think knows, it's a very difficult situation to remedy.

And this is Steven. I would jump in there and say the challenge of course is that it's trying to separate out some of that public versus the sexualness by a serial rapist. When you put your name down on that sexual register, you often don't get the chance at a job interview to say look, I was taking a, going to the bathroom behind a public dumpster and they arrested me for, you know, Lewd conduct. There are someplaces that, for example, here in Nashville, there is a small but growing movement to provide some job training coupled with some supported housing that assists folks who have sexual convictions because it's so difficult to not only find housing but of course employment and a lot of people end up on the street homeless, very difficult to find so that it's a challenge for the folks who monitor the person and it's not to mention terribly hopeless and disheartening for somebody who made a mistake and now pays a very heavy price. There's just not much of a heavier price to pay out there, and I think that goes along and somebody may have asked this. The arson conviction too is another real challenging one, especially to find housing but similar circumstances, similar kind of boat. I believe that a lot of places have you register as an arson offender and it's difficult for an employer or somebody who provides housing to take the kind of risk that comes with a sexual offender or a somebody who may stick a match to the apartment complex, so there's kind of the argument between what's in the interest of the greater good and public safety and I'm with Steven. It's very very challenging.

Thank you, Steve. Just there's a lot of questions coming in. I just have two related questions on bonds. One, for the employee self-esteem does an employer have to disclose that a bond has been taken out on them in order for their hire? And then related to that, can a person obtain federal bonding on their own as an individual with a criminal record?

The bonding, there are eight or nine different target populations in the bonding program and the individual and the employer are going to both know what the criteria that's being met is. The bond is actually issued by the local State agency that does the bond work for the Federal Government to the employer and the individual, I mean you only can get it if you have a job prospect imminent. The bond can be reissued and the person can take, can have more than one in his or her life and as many jobs as he or she as his career path progresses, but in my experience, it is pretty clear what the criteria, what the at risk population is to make the personnel inable and the employer then as a person who actually holds the bond to get that from the State agency.

And I would add that regarding the self-esteem issue, convictions are often it's a matter of public record and it's pretty hard to, you can keep them to yourself, certainly but if you're going for a job and you've got to disclose to your employer that you've got a conviction and that employer then reaches out for you and provides you a letter of intent to hire so that you can obtain the bond, to me, my self-esteem would be hugely inflated because somebody had, you know, is willing to take a risk for me, and so I guess I'm confused about how they apply that, use of self-esteem but to me if somebody wants to offer me a job that's a tremendous self-esteem boost and I could not ask for a more loyal dedicated hard working employee because we know that we've got a shot and they are few and far between and Steven mentioned this earlier about the Company that found offenders to be very loyal. Well, yes, because somebody is willing to take a risk on us and because it's so darn hard to get a job, we are going to be for the most part, we're going to be some dedicated, hard working show up on time, stay late, get the job done employees for you and that's because it's hard to come by.

Another question: I work in a treatment center with veterans and many struggle with finding work. They are being instructed to write will discuss an interview on job applications. Do you suggest they write the specific offense and something about their progress since the offense on the application?

Again, it depends what the question is that's asked, but my sense is if I'm asked, have you ever been convicted of a crime or a felony or whatever it may be, I'm going to answer that question, if it's true, yes, but and then again, I would say that we'll show evidence of rehabilitation and productivity for your Company at the interview if I can. I mean, I would not say just we'll discuss it at interview. I would say something more concrete and also shift the focus not ignore the reality but shift the focus to rehabilitation.

Another question about collaborating with local law enforcement. How do you get your local law enforcement agencies or community corrections programs to appreciate the importance of collaboration in addressing the needs of persons with mental illness or co-occurring disorders?

Well, I mean, I think there are a couple elements and again it varies from community to community. The things that I find in common are that there's even a difference between what the cop on the street and what the police or jail Manager feels and says. If you talk

with the officers on the street or in the cell blocks, they know what a difficult situation they're presented with when they're dealing with people who are struggling with mental illness, and they want some way of making their job easier, so in my experience you bring people together from a human services or a treatment program and a law enforcement program and whether it's police or judges or probation officers, and the first while people spend venting about remember that case when Mr. Smith did this or that and your agency didn't pick up and you go through a lot of sort of history that needs to get ventilated and then you begin to talk about how things actually could work more smoothly if we were able to communicate readily about and again, there's some issues about confidentiality of clinical record and they have to be attended to, but the idea is these agencies deal with the same people every day and it can either be incredibly difficult and effective or it can be somewhat better but both agencies have to move towards understanding the others terminology and incentives and the way they would do their work. We're not really, these are the kinds of things that don't require necessarily new funding. They may require people changing their standard operating procedures and my sense is that with managers of legal institutions, they're willing to do it if they can trust somebody on the other side to come through with what they say they're going to do.

That is so true, and I would add again that this does not happen overnight. Here in Nashville, we've watched, really its probably been at least a seven year period. I know that there were efforts prior to my arrival here that integrating in some way the policeman on the street, the local jail provider, and then the outreach and case Management staff of the seven or eight agencies that are engaged with the various populations, and it did actually occur almost identical to what Steven had described, but remember that the police officers often and judges are very frustrated with this sort of revolving door and they are also very interested trying to find solutions that are cost effective that keep folks who are traditionally regularly clogging up the court system and the jail cells, trying to find some alternatives for folks that actually will work so I think you're going to find once you get past the maybe the sinicism and that venting stage that people are willing to work together if folks are serious about it, but again, I would stress, it doesn't happen overnight. It takes time. We invite local officers to our continuum of care meetings, our coalition meetings, they're at every homeless coalition meeting. There's an officer on the Board there, so we've worked really really hard to pull the local police force into our basically our day-to-day operations.

Thank you. Another participant asks: What are some of the best examples of a combined local community effort to assist veterans with criminal justice involvement? Are you aware of court run mentoring programs?

Well, I can tell you for example, in a program where I live in up State New York in the Albany region, in the capitol district which takes in I think six counties, recently a veterans court was created and one of the things that it did was in addition to the various kinds of special tracks and whatever, the program included an element of peer specialists, volunteers from the community almost all of whom were veterans were asked to come in and do some sort of talking and training and then they were assigned

to the veterans court track in the courts in this area and when there is a veteran whose coming through with the kinds of problems that we were describing among the things that happen in terms of integrated service plan and usually some specialized kind of probation, there is a peer mentor who is a him or herself a veteran who is essentially made available to each individual and again, it's too soon and we certainly don't have any empirical data, but so recently a few months old but it appears that again as Steven was saying, the idea of having somebody who has lived the experience of military service and who has come out particularly if they had struggles and now put their life in order is an invaluable Resource and asset to help folks struggling to pull it together.

And same thing here in Nashville. A very similar approach, Operation Standdown Nashville has a place, an outreach worker on basically on call for one of the judges who deals with homeless court and veteran court. In addition to that, he's also connected pretty well with parole and probation so any time we have somebody whose about to be released or somebody whose been arrested and is going to show up in court, then this gentleman makes his way to the court or makes his way to probation and parole, actually spends some time with the agent or the court personnel. There have been times when folks have actually been released into his custody and then he acts along with several of the, well not counselors but case Managers, acts as kind of a almost a group mentoring and the network connection of veterans serving and helping veterans is extremely powerful. If you've never served in the military, it's difficult to comprehend how Familial this network really is and folks who have shared common experiences in military conditions have some real loyalty and respect for each other and now of course I'm speaking generally there, but I mean, I can not again stress enough how powerful that is and that whole idea of mentoring and I think it's something that's becoming as a peer specialist and understanding in my own role and recovery specialist, I think that the community is really starting to understand the value and the importance of this role in our kind of our service delivery.

Thank you. Steven and Steven, I'm afraid we are now out of time but we've gotten so many questions that we will definitely collect these questions and ask the presenters to provide written responses which we will post on the HRC website and send out an e-mail to all to notify you when that's been posted. So thank you very much and thank you to all of our participants who joined us this afternoon. Materials from today's Webcast including an audio recording will be available through the HRC website under the Webcast resources page and the files will be posted within the next three days. In a moment when we sign off you'll be sent directly to a brief survey about today's Webcast. Please take a moment to complete these questions. Your feedback is extremely valuable to us and helps to serve you better. Thank you so much and have a good day.

[Event Concluded]